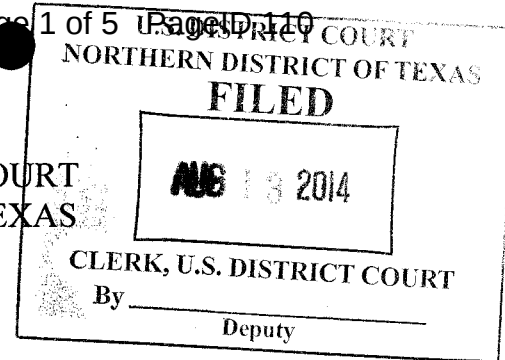


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

v.

JONATHAN DANIEL KUTEJ (01)

No. 4:14-CR-74-Y

[Supersedes indictment return on
April 8, 2014]

SUPERSEDING INDICTMENT

The Grand Jury Charges:

Count One

Production of Child Pornography
(Violation of 18 U.S.C. § 2251(a))

On or about August 14, 2013, in the Fort Worth Division of the Northern District of Texas, defendant **Jonathan Daniel Kutej** did knowingly employ, use, and persuade a minor, "MV1," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the defendant produced the following visual depictions of MV1:

File Name	Description
IMG_2400.JPG	Close up visual depiction of a thumb pushing aside MV1's underwear to expose the genital area of MV1
IMG_2401.JPG	Close up visual depiction of two fingers spreading apart the genital area of MV1

In violation of 18 U.S.C. § 2251(a).

Count Two

Production and Attempted Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about July 17, 2013, in the Fort Worth Division of the Northern District of Texas and elsewhere, defendant **Jonathan Daniel Kutej** knowingly did, and attempted to, employ, use, and persuade a minor, "MV4," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which such visual depiction has actually been transported using any means and facility of interstate commerce and in and affecting interstate commerce. Specifically, the defendant produced the following visual depictions of MV4:

File name	Description
IMG_2311.JPG	Visual depiction of the nude lower torso of MV4 lying on her side with her legs spread apart
IMG_2313.JPG	Visual depiction of MV4, nude, sitting on a bed with one leg bent toward her genital area

In violation of 18 U.S.C. §§ 2251(a) and 2251(e)).

Forfeiture Notice
(18 U.S.C. § 2253)

Upon conviction of either of the offenses alleged in Count One or Count Two and pursuant to 18 U.S.C. § 2253(a), defendant **Kutej** shall forfeit to the United States (a) any visual depiction described in 18 U.S.C. § 2251 and 18 U.S.C. § 2252, and any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in the respective offense; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the respective offense; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the respective offense and any property traceable to such property.

The above-referenced property subject to forfeiture from the defendant includes,
but is not limited to, any interest in the following:


1. One Apple iPhone taken from **Kutej** on August 15, 2013, by Hood County Criminal Investigator R. Young.

A TRUE BILL



FOREPERSON

SARAH R. SALDAÑA
UNITED STATES ATTORNEY



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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

THE UNITED STATES OF AMERICA

VS.

JONATHAN DANIEL KUTEJ (01)

INDICTMENT

18 U.S.C. § 2251(a)
Production of Child Pornography
(1 COUNT)

18 U.S.C. §§ 2251(a) and 2251(e)
Production and Attempted Production of Child Pornography
(1 COUNT)

18 U.S.C. § 2253
Forfeiture

A true bill rendered:


FORT WORTH



FOREPERSON

Filed in open court this 13th day of August, A.D. 2014.

Defendant in Custody


UNITED STATES DISTRICT JUDGE
(4:14-CR-074-Y)